The Sumter Banner.

DEVOTED TO SOUTHERN RIGHTS, DEMOCRACY, NEWS, LITERATURE, AGRICULTURE, SCIENCE AND THE ARTS.

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BY
John S. Richardson, Jr.

TERMS,

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For the Sumter Banner.

The Petition for a New Court House in Clarendon.

The State of South Carolina, Sumter District, Clarendon County.

Your petitioners would respectfully represent to your "Honorable Body" that as citizens of the Election District of *Clarendon* County, they are constrained from the many inconveniences of the connection, to ask a separation also from the Judicial District of Sumter, of which it now constitutes a part.

Next to that of Charleston, your petitioners believe that the District of Sumter is one of the *largest* in territory, the most *numerous* in population, and decidedly the most encumbered with litigation. Its division into "election" and "tax-paying counties" has long since severed many of those ties of citizenship, which usually connect the members of a community with each other. There is, perhaps, no Judicial Division of the State, in which the interests of the people are more diversified, their character less *homogenous*, and the composition of a Jury so little calculated to produce a *fair*, impartial, and uniform administration of justice.

Confidence cannot exist, where sectional jealousies are so easily provoked, and the enforcement of law, and "its behests" loses half its efficacy and influence, when it is supposed to be administered with motives either of prejudice or predilection.

The citizens of *one* County are not really tried by their "Peers" when the Jury is composed of the "Partisans" of another.

The relations betwetn them are often those, neither of strangers nor of neighbors; but of a character which the distance is not sufficiently remote to protect from prejudice; nor the proximity close enough to remove by intercourse. It is not surprising, therefore that to *be* the inhabitant of one county or the other, it is more or less to influence the litigant.

These are some of the objections incident as your petitioners believe, to the union of any two election Districts (under similar circumstances) into one Judicial District.

Were the Districts of Chesterfield and Darlington, of Lancaster and Kershaw, of Richland and Lexington severally united under the same "Judicial Jurisdiction" they would scarcely present boundaries more extensive, interests more opposed, pursuits more diversified, jealousies more easily provoked, and confidence more sensitive and difficult to attract, than the anomolous combination which Sumter District presents of *three* tax paying, and *two* Election Counties organized into one Judicial District. With the Court House in either of these Districts—with its usual appendages of Lawyers, Sheriffs, Clerks, Commissioners, Magistrates, and village influence, could the "excluded" county be otherwise related to the "favored" than as the absorbed to the absorbent—the Province to the Empire—and the South (as she now is in all her Federal interests) to the centralizing attractions of the North.

But were this *all*, your petitioners would not have appealed to your "Honorable Body" on this occasion, imperative, as they believe, are the reasons already given for Legislative interference. But they are impelled by *other*, and far *more* urgent considerations. They plead, that the *delay*, is to *them* too often, the *denial* of justice. They have experienced that the expense and burdens of a far removed Court House—an expensive tavern bill, and a two weeks docket, (constantly increasing and constantly transfered) cannot compensate them even for successful litigation. Some among them have been known to forego their rights rather than contest them, under the doubtful circumstances of tardy justice, exorbitant expense, and a Jury often purged (as it is) of its intelligence and its disinterestedness. It must be an extraordinary case indeed ("for Sumter Court at least") where the "costs" do not exceed the gains of a successful litigation.

Many of your petitioners are in humble circumstances, and to *them* a distance of more than forty miles, often traversed on foot, with a week spent as jurymen—a fortnight as client or as witnesses; their nights houseless, and their food the resources of their own *domestic* store, bring but few compensating advantages for so tedious, expensive and exacting a system of justice.

Your petitioners believe that the amount saved to Clarendon of *one* single term only in Sumterville, by the establishment of a separate jurisdiction for this county would amply suffice for the erection of an adequate Court House, and all its necessary appendages. Have we Deeds, or Mortgages, Conveyances or location to authenticate, we have to record or search for them in offices as remote, and scarcely less foreign or strange from us, than those of Williamsburg or of Darlington. Whilst enduring these sacrifices of inter st to this system of judicial consolidation. Clarendon has actually furnished the *greater* amount of litigation to the Sumter Bar.

Her wealth, her enterprise, and her prosperit has hitherto supplied the larger proportion of a docket which the Court, the juries and the legal profession of another County have arranged, decided, and often prejudged, to the cost and injury of her citizens.—With a Court House in her own limits,—with the increased facilities, and diminished expences of litigation, how much more would not the spirit of legal intelligence and investigation advance with that progressive prosperity of her people, o which it is both the indication and the accompaniment.

In the earlier organization of our Judicial District, the sparseness of the *then* population, may have rendered such an arrangement, as now exists, indispensable, to an enlightened administration of justice. Neither did the *character* or *amount* of the litigation of *that* day, make it either inconvenient or objectionable to a people—almost primitive in their habits and requirements—and content with the enjoyment of the National Rights which their valour had recently acquired. But in the present conflicting condition of society, with all the expedients which wealth, crime and cupidity, *can* and *does* apply to stimulate, as well as corrupt the sources of justice—it is to *us*, one of comparative extortion to the rich, oppression to the poor, exclusion to the litigant, exoneration to the innocent, and exculpation to the guilty.

There were doubtless reasons once existing, for extending our Judicial limits even to the boundaries of Lancaster, but were Kershaw now held in legal bondage to Sumter Court House, as Clarendon still is, she would esteem it perhaps as a grievance, scarce less tolerable, than that of which her Revolutionary heroes complained, in being transported to an English Court for trial.

And yet, there is *no more* reason for this Judicial union between Clarendon and Claremon, than there is for one between Claremont and Kershaw, The considerations, in fact all are in favor of the *latter*. Climate, interest, population, intercourse and pursuits, are all in *thier case* more characteristic, homogenous, and assimilated.

Like Kershaw, or like Richland, Clarendon has no other connection whatever with Claremont, than that of her judicial ties. In severing them, she asks no political advantages or acquirements, nor any remunerations for the past, she *would* not, if she *could*, disturb any of the compromises of the Constitution. She seeks only a *Judicial* as well as that "Electoral" independence which she now enjoys.

Your petitioners therefore pray your Honorable Body to take such measures, as in your wisdom, you may deem necessary for establishing our County into a separate Judicial District, and your petitioners, as in duty bound will ever pray.

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From Arthur's Home Magazine.

HOME SCENES.

BY T. S. ARTHUR.

No. 1.—GOVERNING CHILDREN.

"I'll not live in this way!" exclaimed Mrs. Lyon, passionately. "Such disorder, wrangling and irregularity, to me of all peace; and make the house a bedlam, instead of a quiet home. Tom!"—she spoke sharply to a bright little fellow, who was pounding away with a wooden hammer on a chair, and making a most intolerable din;—"stop that noise, this instant! And you, Ear', not a word more from your lips. If you cant live in peace with your sister, I'll separate you.—D'ye hear! Hush, this instant!"

"Then make Jule give me my pincushion. She's got it in her pocket."

"It's no such thing; I havn't," retorted Julia.

"You have, I say."

"I tell you I havn't!"

"Will you hush!" The face of of Mrs. Lyon was firery red; and she stamped upon the floor, as she spoke.

"I want my pincushion. Make Jule give me my pincushion."

Irritated, beyond control, Mrs. Lyon caught Julia by the arm; and thrusting her hand into her pocket, drew out a thimble, a piece of lace, and a penknife."

"I told you it wasn't there! Couldn't you believe me?"

This impertinence was more than he mother could endure; and, acting from her indignant impulses, she boxed the ears of Julia, soundly: Conscious, at the same time, that Emily was chiefly to blame for all this trouble, by a wrong accusation of her sister; she turned upon her, also, administering an equal punishment.—Frightened by all this, the younger children, whose incessant noise, for the last hour, had contributed to the overthrow of their mother's temper, became suddenly quiet, and skulked away into corners—and the baby, that was seated on the floor, between two pillows, curved her quivering lips, and glanced fearfully up at the distorted face in which she had been used to see the love-light that made her heaven.

A deep quiet followed this burst of passion; like the hush which succeeds the storm. Alas, for the evil traces that were left behind! Alas for the repulsive image of that mother, daguerreotyped in an instant, on the memory of her children, and never to be effaced. How many, many times, in after years, will not a sigh heave their bosoms, as that painful reflection looks out upon them from amid the dearer remembrances of childhood.

A woman of good impulses, but with scarcely any self control, was Mrs. Lyon. She loved her children, and desired their good. That they shewed so little forbearance, one with the other, manifested so little fraternal adfection, grieved her deeply.

"My whole life is made unhappy by it!" she would often say. "What is to be done? It is dreadful to think of a family growing up in discord and disunion. Sister at variance with sister; and brother lifting his hand against brother."

As was usual after an ebullition of passion, Mrs Lyon, deeply depressed in spirits, as well as discouraged, retired from her family to grieve and weep. Lifting the frightened baby from the floor, she drew its head tenderly against her bosom; and, leaving the nursery, sought the quiet of her own room. There, in repentance and humiliation, she recalled the stormy scene through which she had just passed; and blamed herself for yielding blindly to passion, instead of meeting the trouble among her children with a quiet discrimination.

Weeping, calmness succeeded.—Still she was perplexed in mind, as well as grieved at her own want of self control. What was to be done with her children? How were they to be governed aright? Painfully did she feel her own unfitness for the task. By this time the baby was asleep, and the mother felt something of that tranquil peace that every true mother knows, when a young babe is slumbering on her bosom. A book lay on a shelf, near where she was sitting, and Mrs. Lyon, scarcely conscious of the act, reached out her hand for the volume. She opened, without feeling any interest in its contents; but, she had read only a few sentences, when this remark arrested her attention.

"All right government of children begins with self government."

The words seemed written for her; and the truth expressed, was elevated instantly into perception. She saw it in the clearest light; and closed the book, and bowed her head in sad acknowledgment of her own errors.—Thus, for some time, she had been sitting, when the murmur of voices from below grew more and more distinct, and she was soon aroused to the painful fact, that, as usual, when left alone, the children were wrangling among themselves. Various noises, as of pounding on, and throwing about chairs, and other pieces of furniture, were heard; and, at length, a loud scream, mingled with angry vociferations, smote upon her ears.

Indignation swelled instantly in the heart of Mrs. Lyon; hurridly placing the sleeping babe in its crib, she started for the scene of disorder, moved by an impulse to punish severely the young rebels against all authority; and was half way down the stairs, when her feet were checked by a remembrance of the sentiment—"All right government of children begins with self government."

"Will anger subdue anger? When storm meets storm, is the tempest stilled?" These were the questions asked of herself, almost involuntarily. "This is no spirit in which to meet my children. It never has never will enforce order and obedience," she added, as she stood upon the stairs, struggling with herself, and striving for the victory. From the nursery came louder sounds of disorder. How weak the mother felt! Yet, in this very weakness was strength.

"I must not stand idly here," she said, as a sharper cry of anger smote her ears; and so she moved on quickly, and opening the nursery door, stood revealed to her children. Julia had just raised her hand to strike Emily, who stood confronting her with a fiery face. Both were a little startled at their mother's sudden appearance; and both, expecting the storm that usually came at such times, began to assume the defiant, stubborn air with which her intemperate reproofs were always met.

A few moments did Mrs. Lyon stand looking at her children—grief, not anger, upon her pale countenance. How still all became. What a look of wonder came gradually into the children's faces, as they glanced one at the other. Something of shame was next visible. And now, the mother was conscious of a new power over the young rebels of her household.

"Emily," said she; speaking mildly, yet with a touch of sorrow in her voice that she could not subdue; "I wish you would go up into my room, and sit with Mary while she sleeps."

Without a sign of opposition, or even reluctance, Emily went quietly from the nursery, in obedience to her mother's desire.

"This room is very much in disorder, Julia."

Many times had Mrs. Lyon said, under like circumstances. "Why *don't* you put things to rights?" or, "I never saw such girls! If all in the room was topsy turvey, and the floor an inch thick with dirt, you'd never turn over a hand to put things in order;" or, "Go and get the broom, this minute, and sweep up the room. You're the laziest girl that ever lived." Many, many times, as we have said, had such language been addressed by Mrs. Lyon, under like circumstances, to Julia and her sisters, without producin anything better than a grumbling, partial execution of her wishes. But now, the mild intimation that the room was in disorder, produced all the effects desired. Julia went quickly about the work of restoring things to their right places, and in a little while, order was apparent where confusion reigned before. Little Tommy, whose love of hammering was an incessant annoyance to his mother, had ceased his din on her sudden appearance, and, for a few moments, stood in expectation of a boxed ear; for a time he was puzzled to understand the new aspect of affairs. Finding that he was not under the ban, as usual, he commenced slapping a stick over the top of an old table, making a most ear piercing noise. Instantly Julia said, in a low voice, to him—

"Don't, Tommy,—don't do that.—You know it makes mother's head ache."

"Does it make your head ache, mother?" asked the child, curiously, and with a pitying tone in his voice, as he came creeping up to his mother's side, and looking at her as if in doubt whether he would be repulsed or not.

"Sometimes it does, my son," replied Mrs. Lyon, kindly; "and it is always unpleasant. Won't you try to play without making so much noise?"

"Yes, mother, I'll try;" answered the little fellow, cheerfully. "But I'll forget sometimes."

He looked earnestly at his mother as if something more was in his thoughts.

"Well, dear, what else?" said she encouragingly.

"When I forget, you'll tell me; won't you?"

"Yes, love."

"And then I'll stop. But don't scold me mother; for then I can't stop."

Mrs. Lyon's heart was touched.—She caught her breath, and bent her face down, to conceal its expression, until it rested on the silken hair of the child.

"Be a good boy, Tommy, and mother will never scold you, any more;" she murmured gently, in his ears.

His arms stole upwards, and as they were twined closely about her neck, he pressed his lips tightly against her cheek—thus sealing his part of the contract with a kiss.

How sweet to the mother's taste were these first fruits of self control. In the effort to govern herself, what a power had she acquired. In stilling the tempest of passion in her own bosom, she had poured the oil of peace over the storm fretted hearts of her children.

Only first fruits were these. In all her after days did that mother strive with herself, ere she entered in to a contest with the inherited evils of her children; and just so far as she was able to overcome evil in herself, was she able to overcome evil in them. Often, very often, did she fall back in to old states; and often, very often was self resistance only a light effort; but the feeble influence for good that flowed from her words and actions, whenever this was so, warned her of error, and prompted a more vigorous self control. Need it be said, that she had an abundant reward?

Patrick Calhoun, Father of John C. Calhoun.

The name Calhoun was originally written Colquhon, (pronounced Cohoun,) and emanated from the Celtic Highlands of Scotland. There is something more than a tradition that the Clan, living on a dangerous coast of that sea girt land, were skilful wreckers, and received their name from a French term for a peculiar boat in use among them. Colhoun was the manner of writing the name soon after the appearance of the family in America, but was gradually changed to Calhoun, being so pronounced generally, even early in the boyhood of the Senator. There are some old men among us, however, who still speak of Cohoun.

The Highland Clan seems to have been very respectable, both in numbers and military character; according to the books of Heraldry, the Bearberry (*Arbutus uva ursi*, or in Gaelic, *Braoileag nan con*,) was honored as their device or badge of distinction. Their tartan, as we lear from the same source, seems to have been sufficiently magnificent; the following were it colors in the order of their arrangement; blue, black, blue black, white, green, red, green, white, black, blue, black, blue. A fish has also been claimed by certain knowing ones of the family, as a part of its ancient coat of arms, in connection with which quite a characteristic anecdote is told of the Senator—illustrative of his republican contempt for all such silly relics of a darker age. A female relative once asked him "how it was the family got this device of the fish?"—"Why it is very easily accounted for," he replied; "in their old haunts, they fell into the very bad habit of *stealing*, fish, and have judiciously placed a memento of it on their escutcheon."

Patrick Calhoun, the father of the Senator, emigrated at the age of 12, sometime between the years 1735 and 1740, from Donegal county, Ireland, to America, accompanied by his mother Catherine Calhoun, and several brothers.

His father had died previous to this event. They settled first in Pennsylvania; but hearing of better lands in Virginia, the whole family shortly after removed thither, and formed a settlement in Elizabeth county, western Virginia. Here, Patrick having become of age, married his first wife, and lost her soon afterwards by death. Overwhelmed with grief at his unexpected misfortune, he resolved to seek relief in exile from a scene in which he could no longer be happy; and setting out alone threaded his way to the wilds of South Carolina. The Waxhaw settlement, on a creek of the same name, in the northern part of the present Lancaster District, had then been established, and he found in it a convenient resting place. At the same period, the portion of country now known as Abbeville, was an unbroken wilderness, except the single settlement of Old Ninety-six, whose village stood on the hill now crowned with the interesting remains of the old Star fort of Revolutionary memory. It had been for ages the hunting ground of the Indians, and was recently become famous among the adventurous hunters of the nearest white settlements. Calhoun met with a party of these, and received from them so glowing an account of the Flatwoods—of the exceeding fertility of the soil and abundance of game, that he determined to visit it himself. The hunters had scarcely exaggerated their description; he found it the most desirable spot he had seen in America, and being an excellent practical surveyor, laid off a large body of land, and hastened back to Virginia to persuade, if possible, the rest of the family to return, and occupy it with him. He was successful; all of them joined him, and they founded there, 1756, the present Calhoun settlement, just eight years before the arrival in the same neighborhood of the French Refuges from Abbeville on the Somme.

For some time after fixing himself thus permanently, it seems that he was much oftener employed with his compass and staff in the surrounding country, than in the more quiet work of a farmer; and it was in one of these expeditions, that he first met, under somewhat romantic circumstances, the young lady who afterwards became his second wife, and the mother of his illustrious son.

John Caldwell, a citizen of Charlotte county, Virginia, and whose family origin and exodus had, we believe, been similar to those of the Calhouns, found, about the same time with them, a new home in South Carolina. Exploring the country first in search of an agreeable situation, he had settled with his wife on Mill creek, in Newberry District. Miss Martha Caldwell, his sister, was also an inmate of his family; she left a pleasant residence in Virginia, to cheer her sister in law in the wilds of Carolina, the business of Mr. Caldwell (he too being a professed surveyor) detaining him frequently, several days together, from his fireside.

The excellent family were living happily on Mill creek, when Patrick Calhoun, surveying on a certain occasion, in the forest of Newberry, met John Caldwell engaged in the same business. They were strangers, but congenial in spirit and blood, a short acquaintance cemented a friendship that lasted through life. Caldwell invited him to his house, and introduced him to his wife and sister, a circumstance quite common in the free, unrestricted hospitality of the country, but which led in this instance to great results. He became enamored with Miss Caldwell, perhaps on first sight; addressing her soon after, they were married, and settled on Calhoun creek in Abbeville District

Here, happy and respected, they lived through the succeeding Indian Wars, and the dark years of the Revolution, he surviving till 1796, and she to 1802.

The father of Martha Caldwell was a soldier in Braddock's war, and had been long dead; after him they named their first son, William. James, the second son, was named for a venerable uncle, the Rev. James Caldwell, a Chaplain in the army of Washington, and who fell at Elizabethtown, in New Jersey, a martyr, basely murdered by the enemies of his country. A thrilling account of this distardly act, appeared in the Banner some six months ago, under the head of "Revolutionary Martyrs." It seems that he was singled out by the Royalists as a special victim, on account of his talents, influence and devotion to the cause of liberty. The brutal soldier suborned to dispatch him, suffered capitally for the offence. (See Dr. Murray's history of the Presbyterian Church, Elizabethtown.) Besides John Caldwell, there were three other brothers of Mrs. Calhoun, viz: William, James, and David.—*Abbeville Banner.*

Discoveries in California.

On the 17th of October last, a party of twelve Mormons and one Indian, headed by G. D. Huntington, left Manti, one of the most southern settlements in Utah Territory, by request of Gov. Young to explore the southern part of the Territory, of which nothing is known, and if possible open a trade with the Navajoes, who dwell in that quarter, for sheep, goats and horses, of which it is known they have abundance. They have, besides, considerable skill in manufactures, and make all their blankets, leather, bridle bits, &c., many of which are executed with most curious workmanship. They also work iron, gold and silver into a multitude of forms, and articles for the warrior, husbandmen and tradesman. The party returned to the Mormon settlements on the 31st of December last, having on their trip made some most remarkable discoveries. They found, in fact, the ruins of a city built in the rocks, very similar to the far-famed Petra in the Eastern Desert, and even surpassing it in extent. From Mr. Huntington's account, furnished the Deseret News, we take the following highly interesting particulars:

On the 17th, we left Manti with our full out fit of men and animals, and with five wagons. We never felt more gloomy and doubtful, or undertook what appeared to us a more hazardous work, during an experience of twenty years in this church. A wild, mountainous and dreary desert, hitherto almost entirely unknown, lay before us, and what was still more formidable, Indian Walker and his allies had decreed that we never should pass, and with twenty Spaniards had posted themselves on our route, and their rallying smoke was in full view. Still we unanimously resolved to go ahead, and our enemies fled before we reached their position, the Spaniards their way and Walker his, leaving our path perfectly open.

We followed Gunnison's trail to within 52 miles of Grand River, which, according to our calculation, is 350 miles from Great Salt Lake City.—This road, so far, was a tolerably good one, but the country has little or no wood, grass or water. There is a beautiful valley on Grand River, Twenty miles long, and from five to ten wide. It has good soil and grazing range, is very well timbered and watered, and is about fifty miles from the Elk Mountain. From here we travelled 110 miles to St. John's River,* over a very rough and mountainous region, difficult to pass over even with packed animals, being covered with dense forests of cedar. It is forty miles from St. John's River to the nearest Navajo town.

RECEPTION BY THE NAVAJOES—CANNIBALISM.—The Navajoes met us with very hostile feelings; they are at war with the whites, and three days before we arrived, had killed, boiled and eaten a white man, so great was their exasperation. By the persuation of two friendly Indians with us—our guide and interpreter—they listened to an explanation of our business.—We were finally enabled to form a treaty and did some trading with them, while they were doing some tall stealing from us. They were highly excited, but the chiefs were more cool, appeared quite friendly, and wished us to come again and trade. Trade is the best letter of introduction a white man can take among the Indians. Their great Captain wished us not to go among their towns and villages, as there were some that could not be controlled, and he did not want to fight us. He said we had come a very great way, and he wished us well, and went to his town and brought out an abundance of corn, meal, flour, bread, beans, dried pumpkin, dried squash, pinenuts, with sheep and goat meat of the finest quality, to fit us out for our journey home.

FIRST DISCOVERY OF RUINS.—On the North side of St. John's River, and about five hundred miles southeast from the Great Salt Lake City; we travelled over a section of country mostly among the mountains, and about forty miles in length, up and down the River, by twenty-five miles in width, covered with the ruins of former towns and villages. The walls of many buildings are still standing entire, some of them three or four stories high, with the ends of the red cedar joists yet in the walls, some projecting eight or ten inches, but worn to a point at their extremities.—Every building was a fortification in the strongest manner imaginable, and in a style that the present age knew nothing of; many of them still plainly show the whole manner of structure and even the marks of the workmen's tools. The first ruins we discovered were three buildings, crumbled to mere heaps. One appeared to have been a pottery, for in and around it were loads of fragments of crockery of fine quality ornamented with a great variety of figures, painted with various colors as bright as if put on yesterday.

A FORTIFIED CITY.—From here we travelled ten miles, with occasional ruins by the way, and entered a deep canon with projecting shelves of rock, and under these shelves were numer·

(CONTINUED ON FOURTH PAGE.)

*St. John's River, called by the Spaniards and known on the maps as San Juan River.—It takes its rise in the mountains on the west side of the Rio Grande, nearly opposite Taos, and running almost due west, empties into Grand River just above the point where Grand and Green Rivers unite to form the Colorado.—The San Juan passes through a country which has been rarely trodden by the white man, and of which nothing is known. Its Junction with Grand River is in about the latitude of Monterey.